

Remarks/Arguments

The Examiner is thanked for the careful review of this Application. Claims 1-3, 9, 12, 16, and 17 have been amended to more clearly define the claims and to correct informalities. No new matter has been added. Claims 1-20 are pending after entry of this Proposed Amendment. Claims 1-20 stand rejected.

Rejections under 35 U.S.C. § 102:

Claims 1, and 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,857,069 to *Rissmeyer et al.*

The Examiner is thanked for the phone interview on November 6, 2006. The focus of the phone interviews was independent claim 1. In the phone conversation, the undersigned pointed out that *Rissmeyer et al.* teaches a DHCP server returning IP address of iSCSI device. The IP address returned by the DHCP server is generated by the DHCP server and is a temporary IP address. In contrast, present application teaches that the IP address of the subsystem where the operating system is to be installed is input by a user. The Examiner agreed that a static IP address input by a user is different from a temporary IP address generated by a DHCP server. The Examiner is also thanked for the phone interview on January 4, 2007. During the interview, the undersigned and the Examiner discussed the content of independent claim 1. Claims have been amended per interviews on November 6, 2006 and on January 4, 2007.

Regarding amended independent claim 1, *Rissmeyer et al.* teaches a system and a method for loading a network driver before loading a disk driver in an operating system booting over a network via iSCSI. To accomplish booting of a computerized network device 201, the device 201 first loads the operating system 212 from the boot volume 211 of a computerized network device 210 and begins the boot sequence at 213, and loads an operating system network driver 214 before loading a bootable iSCSI driver 215 specific to the operating system. (*See*, col. 4, lines 16-20) The operating system used to boot the device 201 is initially loaded in a device 210. As pointed by the Examiner, col. 2, line 65 to col. 3, line 2 of *Rissmeyer et al.* describes that the SCSI devices, accessed via the network driver and the iSCSI disk driver, include CD, DVD drives, tape drives, hard disk drives, scanner, printers, or imagesetters, and other such devices. However, the network device 210 that stores operating system for bootup of Rissmeyer et al. is

not a target storage device selected from a plurality of independent storage devices located in a subsystem, as defined in claim 1. The network device 210 is described as a single device. There is no description of selecting a target storage device from a plurality of independent storage devices in *Rissmeyer et al.*.

In addition, *Rissmeyer et al.* does not teach the subsystem being identified by an IP address in put by a user and the location of the target storage device where the operating system is installed being identified by the user, as defined in claim 1. The IP address of iSCSI device described by *Rissmeyer et al.* is generated by the DHCP server 102, 202. (See, col. 2, lines 24-28) By definition, a DHCP server automatically assigns temporary IP addresses to client stations logging onto an IP network. It eliminates having to manually assign permanent "static" IP addresses. In contrast, the IP address referred in the amended claim 1 is a static IP address defined by a user. Additionally, *Rissmeyer et al.* does not teach user identifying the location of the target storage device where the operating system is installed. This is because the network device 210 where the operating system is installed in *Rissmeyer et al.* is a single device. There is no need for a user to select a target storage device out of a plurality of independent storage devices in the system. Therefore, there is no need for the user to identify the location of the target storage device out of the plurality of storage devices. As a consequence, amended independent claim 1 is patentable over *Rissmeyer et al.* Therefore, Applicant respectfully requests the withdrawal of the rejection to claim 1.

Claims 5-7 are dependent claims of independent claim 1. Based on the argument described above for claim 1, claims 5-7 are also patentable over *Rissmeyer et al.* Therefore, Applicant respectfully requests withdrawals of the rejections to claims 5-7.

Rejections under 35 U.S.C. § 103(a):

Claims 2-4, and 8-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Rissmeyer et al.* in view of U.S. Patent No. 6,775,830 to *Matsunami et al.*

Claims 2-4, and 8 are dependent claims of independent claim 1. Based on the argument described above for claim 1, claims 2-4, and 8 are patentable over *Rissmeyer et al.* Regarding claims 2-4, and 8, *Matsunami et al.* teaches a method of installing software on a network. *Matsunami et al.* teaches a storage subsystem 1, with logical units 13a, 13b, ..., 13n, 14, and 17. However, the storage devices 13a, 13b, ..., 13n, 14, and 17 are logical units (LU), not

independent storage devices. Although the install program in shared LU 14 can install program in multiple computer units, #0, #1, ..., #n, shared LU 14 is a logical unit. Logical units 13a, 13b, ..., and 13n that also have installation program; however, they are exclusively used by different and single computer unit, #0, #1,... or #n. Shared LU 14 is the only unit that can install program in multiple computer units. (See, Figures 5 and 6 of *Matsunami et al.*, and their accompanying description) Logical unit can exist in one single storage device or multiple storage devices. In contrast, the target storage device of claim 1 refers to a target storage device, such as disk-4 of Figure 2 of the application, that is selected from a plurality of independent storage devices, such as disk-0,..., disk-6 of Figure 2, to install the operating system. Shared LU 14 of *Matsunami et al.* is different from the target storage device defined in claim 1 because it is a logical unit, not an independent storage device. Therefore, *Matsunami et al.* does not cure the deficiencies of *Rissmeyer et al.* in independent claim 1. *Rissmeyer et al.* and *Matsunami et al.*, alone or in combination, do not teach all elements of independent claim 1. Therefore, independent claim 1 is patentable over *Rissmeyer et al.*, in view of *Matsunami et al.* As a consequence, Applicant submits that claims 2-4, and 8 are patentable over *Rissmeyer et al.*, in view of *Matsunami et al.* Applicant respectfully requests the withdrawal of the rejections to claims 2-4, and 8.

Based on similar arguments for independent claim 1, *Matsunami et al.* and *Rissmeyer et al.*, alone or in combination, also do not teach all elements of amended independent claim 9. Therefore, applicant submit that claim 9 is patentable over *Rissmeyer et al.*, in view of *Matsunami et al.* As a consequence, Applicant respectfully requests withdrawal of the rejection to claim 9.

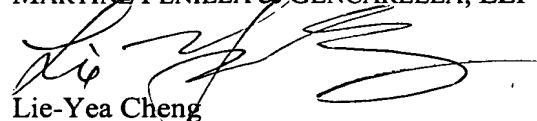
Claims 10-16 are dependent claims of independent claim 9. Based on the argument described above for claim 9, claims 10-16 are patentable over *Rissmeyer et al.* in view of *Matsunami et al.* As a consequence, Applicant respectfully requests the withdrawal of the rejections to claim 10-16.

Regarding amended independent claim 17-20, similar arguments for claims 1-16 can be applied. Therefore, claims 17-20 are patentable over *Rissmeyer et al.*, in view of *Matsunami et al.* As a consequence, Applicant respectfully requests withdrawal of the rejection to claims 17-20.

In consequence, the Applicant respectfully submits that all pending claims are in condition

for allowance, and respectfully request examination on the merits of the subject application. Accordingly, a notice of allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6924. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ADAPP234B). A duplicate copy of the RCE transmittal is enclosed for this purpose.

Respectfully submitted,
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